

Remarks

Claims 1, 5-8, 11-18, 22-23 and 27-29 are pending and are in allowable form.

The sole remaining issues appear to be the double patenting rejections based, respectively, on US 5,665,332 and on co-pending US Serial No. 10/405,100.

Applicant will begin with the rejection based on US Serial No. 10/405,100. In order to facilitate the prosecution of the instant application, the co-pending application is being abandoned, thereby rendering this rejection moot.

With regard to the rejection based on the '332 patent, Applicant respectfully traverses the rejection as stated in the Office Action of July 21, 2004, and instead asserts that present claims 1, 5 and 6 are *indeed* patentably distinct from those identified in the '332 patent.

The present specification itself makes clear, e.g., beginning at page 5, line 2, that the present system provides for an *aerosol* dispenser, as compared to the very specific *propellantless* dispenser described in the application leading to the '332 patent.

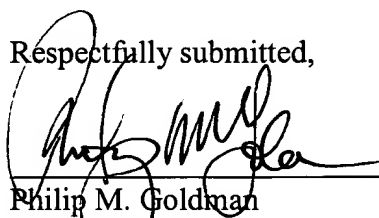
The specification goes on to describe, beginning at page 9, line 4, the manner in which "[a]erosol dispensers are distinct from "propellantless" dispensers, the latter type being narrowly defined as those that avoid the use of a pressurized gas to achieve rapid expansion of a propellant through an emulsion. Propellantless dispensers are those that rely on the use of compressed air, for instance obtained by squeezing a bottle, as opposed to piston-type or spring-loaded dispensers."

The Examiner is encouraged to telephone the undersigned in the event any remaining issues arise. Otherwise, entry of the present Amendment and allowance of the claims indicated above is respectfully requested.

The Commissioner is hereby authorized to charge any additional filing fees required to Deposit Account No. 061910.

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Respectfully submitted,



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